

OFFICE OF GENERAL COUNSEL

26 April 1951

INFORMATION FOR THE DIRECTOR'S LOG

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2. Discussed with Colonel Kurth, Army JAG, whether the appointment of General Smith as DCI was an appointment within the exemptions provided in the Officer Personnel Act of 1947 from the numerical limitations on retired officers. That Act exempts those retired officers appointed to civilian positions by specific act of the Congress. The Congress gave general authority for appointment of officers to position of DCI and the appointment must be confirmed by the Senate. Colonel Kurth felt that the general authorization plus the specific confirmation was within the exemption and he would recommend that General Smith not be counted within the numerical restrictions on general officers.

LAWRENCE R. HOUSTON
General Counsel